

Message Text

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PAGE 01 STATE 264607

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DOD/GC:MR. HERO (DRAFT)

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DOD/OASD/I & L:MR.MARTIN(DRAFT)

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FM SECSTATE WASHDC

TO AMEMBASSY AMMAN

C O N F I D E N T I A L STATE 264607

E.O. 11652: GDS

TAGS: MASS, JO, US

SUBJECT: HAWK MISSILES--U.S. CONTRACTOR EXEMPTIONS

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REF: AMMAN 7151

1. DEPT CONCURS IN EMBASSY RECOMMENDATION THAT TAX AND DUTY-EXEMPT STATUS SHOULD APPLY TO U.S. CONTRACTORS (PRIVATE COMPANIES AND INDIVIDUALS) ENGAGED IN PERFORMANCE OF DOD PROJECTS IN JORDAN. EXAMINATION OF NEGOTIATING HISTORY OF 1957 AGREEMENTS ON ECONOMIC AND MILITARY ASSISTANCE TO JORDAN HAS REVEALED NO BASIS FOR ASSERTING THAT SUCH STATUS IS APPLICABLE IN ABSENCE OF NEW AGREEMENT. ACCORDINGLY, FOR YOUR COMMENT, WE QUOTE BELOW TEXT OF PROPOSED USG NOTE TO GOJ SUGGESTING THAT ARRANGEMENTS SET OUT IN PARAS 7 AND 8 OF THE JUNE 25 AND 27, 1957, EXCHANGE OF NOTES ON ECONOMIC ASSISTANCE ARE APPROPRIATE FOR THIS PURPOSE. THIS IS A FORMULA FAMILIAR BOTH TO OURSELVES AND

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PAGE 02 STATE 264607

TO JORDANIANS, AND THEREFORE MIGHT BE MORE READILY ACCEPTED

THAN NEW FORMULA DEVISED FOR PRESENT PURPOSES.

2. WE REFER TO PARA 7 AS WELL AS PARA 8 OF TIAS 3870 IN ORDER TO DOCUMENT A CLEAR LEGAL BASIS FOR ACCORDING U.S. MILITARY PERSONNEL PRIVILEGES SIMILAR TO USAID PERSONNEL (PARA 5, REFTEL). ASSUME THIS WOULD NOT GIVE RISE TO ISSUE WITH GOJ AS TO APPROPRIATE STATUS FOR USG PERSONNEL.

3. BEGIN TEXT: EXCELLENCY:

I HAVE THE HONOR TO REFER TO THE VARIOUS PROGRAMS OF DEFENSE COOPERATION WHICH ARE IN PROGRESS OR UNDER DISCUSSION BETWEEN THE GOVERNMENT OF THE HASHEMITE KINGDOM OF JORDAN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, INVOLVING THE FURNISHING BY THE UNITED STATES OF DEFENSE ARTICLES AND DEFENSE SERVICES TO JORDAN. SUCH DEFENSE ARTICLES AND DEFENSE SERVICES ARE PRESENTLY FURNISHED IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET FORTH IN THE EXCHANGE OF NOTES OF JUNE 25 AND 27, 1957 REGARDING MILITARY ASSISTANCE.

BECAUSE PROGRAMS OF DEFENSE COOPERATION RECENTLY AGREED TO BY THE TWO GOVERNMENTS CONTEMPLATE THE INTRODUCTION INTO JORDAN OF PERSONNEL, EQUIPMENT AND FUNDS OF THE UNITED STATES AND ITS CONTRACTORS IN CONNECTION WITH THE FURNISHING OF DEFENSE ARTICLES AND DEFENSE SERVICES, ARRANGEMENTS REGULARIZING THE STATUS OF SUCH PERSONNEL, EQUIPMENT AND FUNDS UNDER JORDANIAN LAW WOULD FACILITATE THE IMPLEMENTATION OF THE PROGRAMS CONCERNED. THE ARRANGEMENTS SET OUT IN PARAGRAPHS 7 AND 8 OF THE EXCHANGE OF NOTES OF JUNE 25 AND 27, 1957 (ENTERED INTO FORCE ON 1 JULY, 1957) REGARDING ECONOMIC, TECHNICAL AND RELATED ASSISTANCE ARE RESPECTFULLY SUGGESTED AS APPROPRIATE AND CONVENIENT ARRANGEMENTS FOR THIS PURPOSE. ACCORDINGLY, I HAVE THE HONOR TO PROPOSE THAT THE PROVISIONS OF THOSE PARAGRAPHS BE REGARDED AS SUPPLEMENTARY TO THE AFOREMENTIONED EXCHANGE OF NOTES REGARDING MILITARY ASSISTANCE, AND ALSO APPLICABLE TO THE FURNISHING OF DEFENSE ARTICLES AND DEFENSE SERVICES BY THE UNITED STATES TO JORDAN.

IF THIS PROPOSAL IS ACCEPTABLE TO THE GOVERNMENT OF THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 264607

HASHEMITE KINGDOM OF JORDAN, I HAVE THE HONOR FURTHER TO PROPOSE THAT YOUR EXCELLENCY'S REPLY TO THAT EFFECT, TOGETHER WITH THIS NOTE, SHALL CONSTITUTE AN AGREEMENT BETWEEN THE TWO GOVERNMENTS, EFFECTIVE UPON THE DATE OF YOUR EXCELLENCY'S REPLY. END TEXT.

4. BEFORE INITIATING CIRCULAR 175 PROCEDURE TO SEEK AUTHORIZATION TO NEGOTIATE AGREEMENT ALONG LINES OF

ABOVE-QUOTED DRAFT (OR VARIATION THEREOF IN LIGHT OF
EMBASSY COMMENTS) WOULD ALSO APPRECIATE YOUR VIEWS OF ANY
OTHER POTENTIAL ISSUES WHICH MIGHT APPROPRIATELY BE DEALT
WITH IN CONTEXT OF SUCH NEGOTIATION AND INCLUDED IN
AGREEMENT. KISSINGER

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